

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/040,055	FALBO ET AL.	
	Examiner	Art Unit	
	Helen Rossoshek	2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Decision on Appeal of 15 May 2006.
2.  The allowed claim(s) is/are 11,33,37-43 and 55-99.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 20060817.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.



JACK CHIANG  
**SUPERVISORY PATENT EXAMINER**

### **DETAILED ACTION**

1. This office action is in response to the Application 10/04/4,055 filed 12/31/2001 and Decision on Appeal of 05/15/2006. In response to the comments in the Decision on Appeal related to claims 11, 33, 37-43, 55-57 and 85 Examiner's Amendment is introduces in this office action to overcome potential rejection under 35 USC § 112, second paragraph as it was noted on the page 12 of Decision on Appeal.

2. Claims 11, 33, 37-43 and 55-99 remain pending in the Application.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Jeanette Harms (Registration No. 35,537) on 08/17/2006.

5. The application has been amended as follows:

#### **To claims**

Claim 11 line 22 after "other" insert --, wherein the first action includes applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first portion of the IC layout--

Claim 33 line 14 after "features" insert --, wherein the first layout beautification action includes applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first set of matching layout features--

Claim 37 line 14 after "features" insert --,wherein the first layout beautification action includes applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first set of matching layout features--

Claim 38 line 14 after "features" insert --, wherein the first layout beautification action includes applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first set of matching layout features--

Claim 39 line 14 after "features" insert --, wherein the first layout beautification action includes reducing a number of edges associated with the first set of matching layout features--

Claim 40 line 23 after "features" insert --wherein the first and second layout beautification actions include applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first and second sets of matching layout features--

Claim 55 line 9 after "imperfection" insert --\_the first action including applying at least one of an absolute correction, an adaptive correction, and a replacement correction to the first portion of the IC layout--

Claim 85 line 14 after "features" insert --\_wherein the first layout beautification action includes reducing a number of edges associated with the first set of matching layout features--

Claim 87 line 2 after "features" delete "can comprise" insert –comprises--

Claim 96 line 7 after "reducing" delete "fracturing data volume in the layout" insert --data volume associated with the layout when fractured--

***Allowable Subject Matter***

6. The following is an examiner's statement of reasons for allowance: the claims 11, 33, 37-43 and 55-99 are allowed over the prior art of record, see comments from the Decision on Appeal of the Board of Patent Appeals and in interferences..

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen Rossoshek whose telephone number is 571-272-1905. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner  
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